



INDIANA OFFICE OF SMALL BUSINESS AND ENTREPRENEURSHIP

Jacob Schpok, Executive Director

February 5, 2015

Joy A. Heim
Office of Medicaid Policy and Planning
402 W. Washington St., Room 374
Indianapolis, IN 46204

Dear Ms. Heim,

Pursuant to IC 4-22-2-28, the Indiana Office of Small Business and Entrepreneurship ("OSBE") has reviewed the economic impact analysis for small business associated with rule changes contained in LSA Document 15-34 proposed by the Office of the Secretary of Family and Social Services. The proposed amends 405 IAC 1-4.2-4 to extend through June 30, 2017 the three percent (3%) rate reduction for covered home health agency (HHA) services that is currently set to expire on June 30, 2015 and clarifies the time limits for submission of requested documentation. It amends 405 IAC 1-8-3 to extend through June 30, 2017 the three percent (3%) rate reduction for covered outpatient hospital services that is currently set to expire on June 30, 2015. It amends 405 IAC 1-10.5-6 to extend through June 30, 2017 the three percent (3%) rate reduction for covered inpatient hospital services that is currently set to expire on June 30, 2015. It amends 405 IAC 1-11.5-2 to update the list of procedure codes exempt from the physician global surgery policy. Amends 405 IAC 1-12-21 to modify the Medicaid reimbursement rule for covered services provided by privately (nonstate) owned intermediate care needs facility (CRMNF). Amends 405 IAC 1-12-27 to extend through June 30, 2017 to one percent (1%) rate reduction for covered services provided by privately (nonstate) owned intermediate care facilities for the mentally retarded (ICFs/MR) and community residential facilities for the developmentally disabled (CRFs/DD) that is currently set to expire on June 30, 2015. It amends 405 IAC 1-14.6-2 to update and add definitions. It amends 405 IAC 1-14.6.7 to amend the case mix indice, inflation adjustment and effective dates. It amends 405 IAC 1-14.6-9 to modify effective dates, substitute the language "total quality score" for "report card score," and modify the newly defined total quality score. It amends 405 IAC 1-14.6-24 to extend until June 30, 2017 the nursing facility quality assessment fee enhanced reimbursements and change the quality assessment provisions and to conform with applicable statutory provisions and the federal waiver. It amends 405 IAC 1-19-2 to revise the time period providers are required to notify the office of a change in ownership. It amends 405 IAC 1-20-2 to change mandatory language to permissive. It amends 405 IAC 5-24-6 to extend through June 30, 2017 the Medicaid dispensing fee maximum of three dollars and ninety cents (\$3.90) that is currently set to expire on June 30, 2015. Amends 405 IAC 5-24-13 to revise and clarify the criteria for determining when legend and non-legend water products are to be included in the nursing facility per diem rate and when they are to be reimbursed through the pharmacy benefit. It adds 405 IAC 5-24-14 to add criteria for determining when skin protectants, sealants, moisturizers and ointments are to be included in the nursing facility per diem rate and when they are to be reimbursed through the pharmacy benefit. It amends 405 IAC 5-31-4 to revise the criteria for determining when legend and non-legend water products are included in the nursing facility per diem rate as well as adds criteria for determining when skin protectants, sealants, moisturizers and ointments are to be included in the nursing facility per diem rate. Effective 30 days after filing with the Publisher.

The economic impact statement prepared by the Office of the Secretary of Family and social Services will not impose requirements or costs on small business under IC 4-22-2.1-5. OSBE does not object to the economic impact to small business associated with the proposed rule. If you have any questions about the comments contained herein please contact me at 232.5679 or ombudsman@osbe.in.gov.

Regards,

Erik Scheub